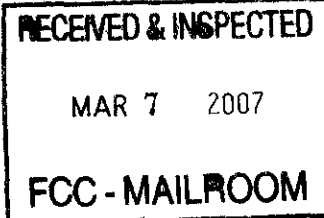




FEDERAL COMMUNICATIONS COMMISSION
PETITION FOR EXEMPTION
FROM
CLOSED CAPTIONING RULES



PETITIONER: Faith Christian Center, Inc.

PROGRAM: "Catch the Truth"

PROGRAM TYPE: Religious/Local/Non-profit

Faith Christian Center, Inc., a non-profit corporation organized under Chapter 180 of the laws of the Commonwealth of Massachusetts (the "Petitioner") hereby petitions the Federal Trade Commission (the "Commission") on behalf of its television program "Catch the Truth" for an exemption pursuant to 47 C.F.R. § 79.1(d)(2) from the closed captioning rules implemented by the Commission under 47 C.F.R. § 79.1 promulgated under §713 of the Communications Act of 1934, and in support thereof Petitioner states that:

1. Petitioner's Background. Petitioner is an independent, non-denominational, Christian church located in Seekonk, Massachusetts. It was organized in 1979 and has been in continual operation since its organization. Petitioner has qualified as tax exempt under § 501(c)(3) of the Internal Revenue Code. Petitioner conducts regular worship services on Sunday mornings and Wednesday evenings, and has activities typically associated with a church, including children's Christian educational classes. In addition the Petitioner has various ministry programs designed to benefit the community, including feeding homeless, supporting street missions, visiting shut-ins and the like. Petitioner is not affiliated with any denomination or organization that provides financial support, and its operations are supported solely by the contributions of its communicants.

2. Petitioner's Program. Petitioner's program is called "Catch the Truth" (the "Program"), and is aired over WPRI, the Providence, RI outlet for CBS¹. The Program is a video-taped production of the teaching portion of the regular worship services of the Petitioner. It airs every Sunday at 11:00am and runs for 28:30 minutes. The Program provides a valuable service to the community by offering religious services to many elderly and incapacitated viewers who cannot otherwise attend a religious service.

3. Closed Captioning Cost and Procedure. Initially, the closed captioning was performed by Close Caption Maker ("CCM"). Currently, the closed captioning is done by Aberdeen Captioning, Inc. in California ("Aberdeen"). A copy of the program is recorded onto a DVC which is sent to Aberdeen. Aberdeen encodes the DVC with the captioning and ships the encoded DVC directly to broadcast location. The cost for closed captioning for 2006 was \$8,855.20. \$8,055.20 was paid to Aberdeen and \$800.00 was paid to CCM. A

¹ Seekonk, MA is a suburb of Providence, RI.

list of invoices for Aberdeen and CCM for 2006 is attached hereto collectively as Exhibit B. These costs are the actual "out of pocket" expenses incurred because of the closed captioning. They do not include the cost of the time spent by the Program's engineer to oversee the process, nor do they include the capital cost of the cameras and production equipment.

4. Impact on Operation. The total cost of producing and airing the Program for 2006 was \$133,336.67². This cost is borne solely by the Petitioner, and no advertising is sold to offset the cost. However, contributions are solicited from the Petitioner's communicants to defer the expenses of the broadcasting the Program. For 2006, the Petitioner received in contributions designated for the Program expenses the total of \$8,290.20. Therefore, the balance of the expenses for the Program in the amount of \$124,416.47 was supplied by the Petitioner. For 2005, the gross income from the Program was \$11,053.88 and the total expenses were \$130,256.21, resulting in a net loss of \$119,202.33. See Exhibit A to this Petition for more details.

5. Financial Resources of the Provider: Because of the nature of the Program is a religious service that is intended to be a benefit to the community and not a commercial program, it would be inappropriate to raise revenue by selling any of the broadcast time. Therefore, the only financial resources available to the Provider are the voluntary contributions of its communicants. Petitioner relies on these contributions not only to pay the costs of the Program but also to underwrite all of the Petitioner's charitable endeavors. The expenses paid by the Petitioner for closed captioning divert those funds from its charitable purposes. Also, the Petitioner has no other resource on which to draw, such as a distributor, for assistance with these expenses.

6. Grounds for Exemption: 47 C.F.R. § 79.1(d) provides that any video programming that meets the requirements of subparagraph (2) thereof, *inter alia*, shall be exempt from the requirements of § 79.1(b). To qualify for exemption under this subparagraph, the Commission must determine that compliance with the closed captioning requirements would impose an undue burden on the Petitioner. The Petitioner claims that since the Program had a net cost to the Petitioner of \$124,416.47 in 2006, the \$8,855.20 annual cost of closed captioning the Program is an undue burden on the Petitioner. It is anticipated that the net loss for the Program and the cost of the closed captioning will continue for 2007 and beyond.

² This cost consists of the closed captioning expense of \$8,855.20 and air time expense of \$124,125.00.

WHEREFORE, the Petition respectfully requests that the Commission find that the closed captioning requirements of 47 C.F.R. § 79.1 constitute an undue burden on the Petitioner and that therefore the Program is exempt from those requirements under 47 C.F.R. § 79.1(d) (2).

Respectfully submitted,

Faith Christian Center, Inc. – PETITIONER

By: 

John L. Pfeffer, Jr. Associate Pastor/Administrator

Dated: March 1, 2007

Exhibit A

To

Faith Christian Center, Inc.
Petition for Exemption Closed Captioning

	2006	2005
Revenue		
TV Contributions	8,920.20	11,053.88
TV Commercials	0.00	0.00
Total Income	8,920.20	11,053.88
Expenses		
Closed Captioning	8,855.20	800.00
WPRI Broadcast Fee	124,125.00 *	128,416.00 **
Supplies & materials	356.47	1,040.21
Total Expense	133,336.67	130,256.21
Net Income/Expenses	<u>(124,416.47)</u>	<u>(119,202.33)</u>

Notes: * see Exhibit A-1
** see Exhibit A-2

EXHIBIT A-1
TO
PETITION
OF
FAITH CHRISTIAN CENTER, INC.

Date: 02/08/2007
Time: 1:18:22 PM

Faith Christian Center, Inc.
List of Invoices by Vendor

Page: 1

W.P.R.I. 12(000054)

Invoice Number	Invoice Amt.	Partial Amt.	Date Posted	Due Date	Description
3026	\$10,275.00	\$0.00	01/11/2006	01/11/2006	Inv. 176199 & 176197
3046	\$125.00	\$0.00	01/19/2006	01/19/2006	invoice 177783
3067	\$6,225.00	\$0.00	01/25/2006	01/25/2006	Inv. 178048 Contract #59756
3107	\$5,625.00	\$0.00	02/08/2006	02/08/2006	Inv #179818 & 179819
3199	\$9,750.00	\$0.00	03/08/2006	03/08/2006	Invoices 182648 & 182649
3319	\$9,750.00	\$0.00	04/12/2006	04/12/2006	Contract 77064 & 76953
3410	\$12,275.00	\$0.00	05/10/2006	05/10/2006	Inv. 1888781 & 188780
3525	\$9,375.00	\$0.00	06/14/2006	06/14/2006	Contracts 76953 & 80856
3603	\$9,775.00	\$0.00	07/13/2006	07/12/2006	Contracts #76953 & #80856
3710	\$11,925.00	\$0.00	08/09/2006	08/09/2006	Inv. Nos. 198753 & 198754
3797	\$9,750.00	\$0.00	09/07/2006	09/07/2006	
3933	\$7,625.00	\$0.00	10/04/2006	10/04/2006	
3989	\$25.00	\$0.00	10/18/2006	10/18/2006	
4061	\$11,875.00	\$0.00	11/08/2006	11/08/2006	inv# 208444,208445
4187	\$9,750.00	\$0.00	12/06/2006	12/06/2006	inv# 211445 Inv# 211446
	\$124,125.00	\$0.00			

* Indicates a voided invoice

EXHIBIT A-2

TO

PETITION

OF

FAITH CHRISTIAN CENTER, INC.

Date: 02/08/2007
Time: 4:22:28 PM

Faith Christian Center, Inc.
List of Invoices by Vendor

Page: 1

W.P.R.I. 12(000054)

Invoice Number	Invoice Amt.	Partial Amt.	Date Posted	Due Date	Description
1809	\$9,841.00	\$0.00	01/05/2005	01/05/2005	Invoices 140453 and 140454
1848	\$1,000.00	\$0.00	01/26/2005	01/26/2005	Invoice #140455
1879	\$6,150.00	\$0.00	02/03/2005	02/03/2005	Invoice #141961 contract 43503
1894	\$6,025.00	\$0.00	02/09/2005	02/09/2005	Invoices 143707 & 143708
1985	\$9,900.00	\$0.00	03/08/2005	03/08/2005	Invoices 146431 & 146432
2085	\$9,325.00	\$0.00	04/06/2005	04/06/2005	Inv. 149414 Contract 60223
2127	\$50.00	\$0.00	04/20/2005	04/20/2005	Inv #149932 Contract 60223
2167	\$9,250.00	\$0.00	05/04/2005	05/04/2005	Inv. 152636 & 152637
2299	\$12,375.00	\$0.00	06/08/2005	06/08/2005	Invoices 155765 & 155766
2392	\$9,900.00	\$0.00	07/14/2005	07/13/2005	Contracts 59756 & 64454
2497	\$12,475.00	\$0.00	08/10/2005	08/10/2005	Invoices 162176 & 162177
2588	\$10,375.00	\$0.00	09/07/2005	09/07/2005	Inv. #164338 & 164337
2696	\$8,350.00	\$0.00	10/06/2005	10/06/2005	Invoices 167335 & 167336
2827	\$13,000.00	\$0.00	11/16/2005	11/16/2005	Inv. 169799 & 169800
2901	\$10,400.00	\$0.00	12/08/2005	12/08/2005	Inv. 173077 & 173078
	\$128,416.00	\$0.00			

* Indicates a voided invoice

EXHIBIT B
TO
PETITION
OF
FAITH CHRISTIAN CENTER, INC.

Date: 02/08/2007
Time: 12:14:19 PM

Faith Christian Center, Inc.
List of Invoices by Vendor

Page: 1

Aberdeen Captioning, Inc.(000611)

Invoice Number	Invoice Amt.	Partial Amt.	Date Posted	Due Date	Description
3384	\$1,302.20	\$0.00	05/03/2006	05/03/2006	
3455	\$1,148.00	\$0.00	05/25/2006	05/25/2006	Invoice 11246
3498	\$586.00	\$0.00	06/07/2006	06/07/2006	Invoice 11325
3639	\$1,104.00	\$0.00	07/19/2006	07/19/2006	Invoice No. 11401
3728	\$761.00	\$0.00	08/16/2006	08/16/2006	July Invoice 11455
3857	\$732.00	\$0.00	09/20/2006	09/20/2006	Invoice 11555
3981	\$1,093.00	\$0.00	10/18/2006	10/18/2006	
4126	\$371.00	\$0.00	11/22/2006	11/22/2006	
4246	\$958.00	\$0.00	12/20/2006	12/20/2006	
	\$8,055.20	\$0.00			

* Indicates a voided invoice

Date: 02/08/2007
Time: 4:01:06 PM

Faith Christian Center, Inc.
Payee Inquiry - Detail
Year-to-Date, Through December 2006

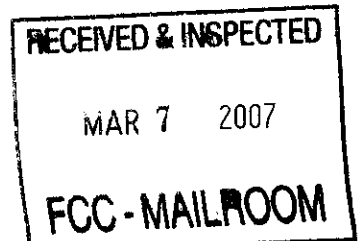
Page: 1

Closed Caption Maker
822 Guilford Avenue
Baltimore, MD 21202

SSN: 004-44-9318

Ref No.	Date	Src	Status	Explanation	Amount
5195	01/20/2006	CHK	C	A/P Check - 01/20/2006	\$600.00
5319	02/08/2006	CHK	C	A/P Check - 02/08/2006	\$200.00
					<u>\$800.00</u>

AFFIDAVIT IN SUPPORT OF PETITION
Of
FAITH CHRISTIAN, INC.
For
EXEMPTION FROM CLOSED CAPTIONING REQUIREMENTS



I, John L. Pfeffer, Jr., of Barrington, Rhode Island, do hereby affirm and swear that:

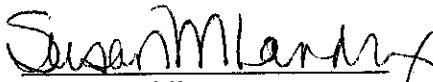
1. I am over the age of 21;
2. I am the Associate Pastor and the Administrator for the Petitioner and that I have served in that capacity since January, 1999 and as such I am familiar with the financial records of the Petitioner;
3. The financial information contained in the Petition and in Exhibits A & B of the Petition are accurate and correct, to the best of my knowledge.

Subscribed and sworn by the undersigned this 1st day of MARCH, 2007,


John L. Pfeffer, Jr.

Commonwealth of Massachusetts
Bristol County

Subscribed and sworn before me this 1st day of March, 2007,


Notary Public
My Commission expires: MY COMMISSION EXPIRES
APRIL 05, 2013